

Lack of Legal Expertise in CBI

***278. SHRI P. PRABHAKAR REDDY:** Will the PRIME MINISTER be pleased to state:

- (a) whether Government have seen the newsitem captioned 'Lack of legal expertise dogs CBI' that appeared in the Statesman of 6th July, 2000;
- (b) if so, the Government's reaction thereto; and
- (c) what steps are proposed to be taken to improve the functioning of the Central Bureau of Investigation which has recently been pulled up for poor investigation and unsatisfactory arguments several times by the various designated courts?

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES, MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS' WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) Yes, Sir.

(b) and (c) The role and functioning of the CBI came under detailed scrutiny of the Supreme Court in Writ Petition (Criminal) Nos. 340—343 of 1993, commonly known as the Vineet Narain case. The Supreme Court gave certain directions in its judgement dated December 18, 1997 in the case with a view to insulate the CBI from extraneous influences and improve its functioning. The Government decided to implement the aforesaid judgement of the Court and in pursuance thereof, *inter-alia*, a panel of competent lawyers of experience and impeccable reputation has been prepared and their services are utilised as prosecuting counsels in cases of significance, with the approval of the Attorney General. The Government has also sanctioned 250 posts for strengthening the in-house expertise of the CBI, as directed by the Court.

Since 1997, adverse observations regarding investigation by the CBI have been made by trial courts in 8 cases out of the

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1458 cases disposed of by them. Appeals against the trial court judgements have been filed in 2 of the aforesaid 8 cases and action has been taken against investigating officers in 6 cases.

Cases are registered and investigated by the CBI strictly as per the provisions of the CBI Crime Manual. On conclusion of trials by the courts, analysis of all court judgements resulting in acquittal or discharge is also undertaken. In all those cases where flaws in investigation are pointed out, the CBI initiates action against officials found at fault. But in cases where the CBI is of the view that evidence on record has not been properly assessed by the court, appeals are filed in the higher courts.

Cases under trial are monitored very closely. Superintendents of Police in the CBI have been instructed to attend important hearing in courts. Senior supervisory officers of the level of Joint Directors and D.I.Gs. have also been asked to attempt important hearings in courts. As a result the conviction rate for the half year ending 30.6.2000 has improved to 72.5% from the figure of 57.9% for the corresponding period in 1999.

At present there are 57 vacancies against 230 sanctioned posts in the CBI's prosecuting staff. Due to revision of the pay scales of the posts of prosecutors in the CBI, these posts can be filled only after revision of the relevant Recruitment Rules for which action has been taken.

Report on Human Development by U.N.D.P.

***279. SHRI S. RAMACHANDRAN PILLAI:** Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn to the latest report on Human Development by the United Nations Development Programme (UNDP) which says that 70 per cent of the population suffers from poor sanitation while 19 per cent have no access to safe water;

(b) whether the UNDP report contradict the Planning